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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,708	04/09/2004	Gene Samburg	002519-30	8746
22204	7590	12/11/2008	EXAMINER	
NIXON PEABODY, LLP 401 9TH STREET, NW SUITE 900 WASHINGTON, DC 20004-2128			WORKU, NEGUSSE	
			ART UNIT	PAPER NUMBER
			2625	
			MAIL DATE	DELIVERY MODE
			12/11/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/820,708

**Applicant(s)**

SAMBURG ET AL.

**Examiner**

NEGUSSIE WORKU

**Art Unit**

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 April 2004.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-16 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 09 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-893)  
4) ☐ Interview Summary (PTO-413)  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_  
Paper No(s)/Mail Date 07/02/04

### **DETAILED ACTION**

1. This is a replay to the application filed on in which, claims 1-16 are pending. Claims 1 and 8 are independent and claims 2-7 and 9-16 are dependent.

#### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 07/02/04, have been reviewed. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-16 are rejected under, 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention. Evidence that claims 1 and 8 fail(s) to correspond in scope with that which applicant(s) regard as the invention, in particular, the claimed limitation as indicated in all independent claims, such as "integrated reader and integrated proximity", and in claim 2, 3<sup>rd</sup> lines a second section of what?, are not clearly distinguished or defined in the claims, in way one skilled in the art would have clearly understood the claimed invention in the scope with that applicant (s) regard as invention. Since various things could be thought of from the

expression, of the claims specifically claims 1 and 8, what is specifically done is unclear. As a result, each claim cannot be understood because what the "reader device read?" similarly what "proximity reader read"? it is unclear and confusing, and therefore, the claimed subject matter of this application as pointed out below is unpatentable under the provisions of 35 U.S.C. 112, second paragraph.

Therefore, claims are rejected as best understood by examiner as set forth in this office action, and also Claims 2-7 and 9-16 are also rejected for being dependent on rejected claims 1 and 8 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being as being anticipated by Fufidio et al. (USPAP 20020067259).

With respect to claim 1, Fufidio '259 teaches an integrated reader device (camera 22 of fig 1, is an integrated reader, col.3, 0023) for installation near a controlled access entrance, (access control system 10, includes entrance), comprising: a non-

metallic mounting frame (camera 22 of fig 1, mounted on wall which is non-metallic, as shown in fig 1); a glass insert mounted on an inside edge of the non-metallic frame, (detector 16, made up of glass, mounted on non-metallic wall, shown in fig 1); a proximity reader mounted to one side of said mounting frame and over the glass insert (detector 14 of fig 1, read a person movement and mounted on the wall shown in fig 1); and a plurality of LED strips mounted on the inside edge of the non-metallic mounting frame, wherein the integrated reader device is installed on an edge of an opening (as shown in fig 1, in photo emitting devices are placed on the door frame 13, col.5, in the last lines 0037).

With respect to claim 2, Fufidio '259' teaches an integrated reader device (camera 22 of fig 1, is an integrated reader, col.3, 0023), wherein the glass insert further comprises: a first glass section; and a second section, wherein the first and second section are bonded together with an adhesive (glass section 13, where plurality of LEDs are positioned and second section door 12, bonded to the wall by any adhesive material).

With respect to claim 3, Fufidio '259' teaches an integrated reader device (camera 22 of fig 1, is an integrated reader, col.3, 0023), wherein the second glass (12 of fig 2) section further comprises: a step carved on the front edge of the second section, and wherein the mounting frame (mounting frame 13 of fig 1) is attached to the glass insert at the location of the step.

With respect to claim 4, Fufidio '259' teaches an integrated reader device (camera 22 of fig 1, is an integrated reader, col.3, 0023), further comprising: a backing attached via an adhesive to the second glass section of the glass insert, and wherein the backing is acrylic (adhesive can be used to attach different parts together, that includes to the back of door to the wall).

With respect to claim 5, Fufidio '259' teaches an integrated reader device (camera 22 of fig 1, is an integrated reader, col.3, 0023), wherein said LED strips are positioned flat against the edges of the glass insert and centered on the edge of the glass insert, (as shown in fig 1, in photo emitting devices are placed on the door frame 13, col.5, in the last lines 0037).

With respect to claim 6, Fufidio '259' teaches an integrated reader device (camera 22 of fig 1, is an integrated reader, col.3, 0023), wherein the LED strips further comprise: a plurality of individual LEDs placed in separate locations on a PC board strip, (as shown in fig 1, in photo emitting devices are placed on the door frame 13, col.5, in the last lines 0037).

With respect to claim 7, Fufidio '259' teaches an integrated reader device (camera 22 of fig 1, is an integrated reader, col.3, 0023), wherein the LED strips are additionally located so as to fit against the edge of the glass panel, (as shown in fig 1, in photo emitting devices are placed on the door frame 13, col.5, in the last lines 0037).

With respect to claim 8, Fufidio '259' teaches a method for forming and installing an integrated reader device that includes a proximity reader, a glass panel and a non-metallic frame an integrated reader device (camera 22 of fig 1, is an integrated reader, col.3, 0023) for installation near a controlled access entrance, (access control system 10, includes entrance), comprising step of: a non-metallic mounting frame (camera 22 of fig 1, mounted on wall which is non-metallic, as shown in fig 1); inserting the glass panel into the non-metallic frame, (frame 113 of fig 1) wherein the glass panel is formed by, attaching a first glass section to a second glass section via an adhesive, and attaching an acrylic layer to the second glass section; attaching a plurality LED strips to the non-metallic frame (detector 16, made up of glass, mounted on non-metallic wall, shown in fig 1, in which using acrylic layer to attach can be used); forming the integrated proximity reader by attaching the proximity reader to the acrylic layer of the glass panel and to the frame (detector 14 of fig 1, read a person movement and mounted on the wall shown in fig 1); and installing the integrated proximity reader on the edge of an opening of a predetermined size, (as shown in fig 1, in photo emitting devices (detector) are placed on the door frame 13, col.5, in the last lines 0037).

With respect to claim 9, Fufidio '259' teaches a method for forming and installing an integrated reader device (camera 22 of fig 1, is an integrated reader, col.3, 0023), wherein the step of installing further comprises: applying an adhesive to a front the non-metallic frame; and attaching the adhesive covered frame to the edge of the opening (a

non metallic frame 13 of fig 1, can be attached with known practice of attaching by means of adhesive).

With respect to claim 10, Fufidio '259' teaches a method (camera 22 of fig 1, is an integrated reader, col.3, 0023) wherein the step of forming further comprises: drilling a hole in a cover of the proximity reader; and routing wires associated with the LED strips through the hole for electrical connection, (as shown in fig 1, in photo emitting devices are placed on the door frame 13, col.5, in the last lines 0037).

With respect to claim 11, Fufidio '259' teaches a method, (as shown in fig 1) wherein the step of inserting further comprises: attaching the non-metallic frame e at the carved step in the edge of the second glass panel (wall where the system of fig 1 is attached is a non-metallic frame).

With respect to claim 10, Fufidio '259' teaches a method 12. The method of claim 8, wherein the installation of the LEDs further comprises: mounting individual LEDs inside on a PC board, (as shown in fig 1, in photo emitting devices are placed on the door frame 13, col.5, in the last lines 0037).

With respect to claim 10, Fufidio '259' teaches a method 13. The method of claim 8, wherein the LED strips are attached to the frame so that lenses of the LEDs lay flat



against the edges of the glass panel, (as shown in fig 1, in photo emitting devices are placed on the door frame 13, col.5, in the last lines 0037).

With respect to claim 14, Fufidio '259' teaches a method, wherein the adhesive employed to attach the first glass section to the second glass section is a clear adhesive (a non metallic frame 13 of fig 1, can be attached with known practice of attaching by means of adhesive).

With respect to claim 15, Fufidio '259' teaches a method, wherein a portion of said non-metallic frame is milled and wherein the LED strips are placed in the milled portion of the non-metallic frame in said attaching step, (as shown in fig 1, in photo emitting devices are placed on the door frame 13, col.5, in the last lines 0037).

With respect to claim 16, Fufidio '259' teaches a method, wherein the installation is performed via a rear access panel (assembly of the system of fig 1, can be done from the inside and from the front door).

### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NEGUSSIE WORKU whose telephone number is (571)272-7472. The examiner can normally be reached on 9A-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Negussie Worku/

Primary Examiner, Art Unit 2625